

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 DOUBLEVISION ENTERTAINMENT, LLC,
12 a Tennessee limited liability company, as
13 assignee of Commercial Escrow Services, Inc.,
a California corporation, and Antoinette
Hardstone, an individual,

14 Plaintiff,

15 v.

16 NAVIGATORS SPECIALTY INSURANCE
COMPANY; a New York corporation; THE
17 NAVIGATORS GROUP, INC., a New York
corporation; and DOES 1 through 50,
18 inclusive,

19 Defendants.

Case No. 3:14-cv-02848-WHA

**STIPULATION AND [PROPOSED]
ORDER RE SCOPE OF EXPERTS'
PERMISSIBLE REBUTTAL TESTIMONY**

With respect to the parties' proffered experts, the parties, by and through their respective counsel, hereby stipulate as follows:

WHEREAS, the parties simultaneously designated their respective experts on March 31, 2015 and exchanged Rule 26 expert reports on that date, rather than engaging in the sequential exchange contemplated by Paragraph 5 the Case Management Order (“CMO”) entered by the Court in this matter [Dkt. No. 22];

WHEREAS, two of the plaintiff's designated experts (Messrs. Stephen Prater and Mark Fredkin), and the defendant's expert (Steven Crane), offer opposing opinions on largely overlapping issues;

WHEREAS, Paragraph 7 of the CMO allows the parties, by stipulation, to relax the requirements of the CMO regarding the scope of permissible opinion testimony offered by the parties' retained experts,

NOW, THEREFORE, the parties stipulate that Messrs. Prater and Fredkin will be permitted to rebut the opinions offered by Mr. Crane, and Mr. Crane will be permitted to rebut the opinions offered by Messrs. Prater and Fredkin, without need of written rebuttal reports, and the parties further agree that neither party will submit written rebuttal reports.

IT IS SO STIPULATED.

Dated: April 14, 2015

ROSENFELD, MEYER & SUSMAN LLP

By: /s/ Ryan M. Lapine

Ryan M. Lapine

Ryan M. Lapine
Attorneys for Plaintiff

Attorneys for Plaintiff
DOUBLEVISION ENTERTAINMENT LLC

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1 Dated: April 14, 2015

CLYDE & CO US LLP

3 By: /s/ W. Andrew Miller

4 David A. Gabianelli

5 W. Andrew Miller

6 Attorneys for Defendant

NAVIGATORS SPECIALTY INSURANCE
COMPANY

9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10 DATED: April 21, 2015.



United States District Judge